

Notice of Allowability

Application No.

10/015,682

Examiner

Jeffrey R. Swearingen

Applicant(s)

HARPER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendments and remarks of 10/19/2006.
2. ☒ The allowed claim(s) is/are 1-11, 16 and 32-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JASON CARDONE
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ted Naeckel on 1/8/2007.

The application has been amended as follows:

Claim 32: A method of processing network element fault information, the method comprising:

receiving a network element identifier from a user via an edge switch coupled to an interior network element, the interior network element located within a network, wherein the edge switch is a first point of access to the network for communication by a user, the network element identifier corresponding to a network element;

receiving network element fault information based at least in part on the received network element identifier;

processing the network element fault information for display to the user based at least in part on a network element fault information processing criteria, wherein the network element fault information processing criteria provides the user with an option to choose between a fixed time period and a rolling time period, wherein the rolling time period comprises a previous finite time period wherein the previous finite time period is selected from the group consisting of a plurality of hours, a plurality of days, a week, and a month;

generating a network element fault data record based at least in part on processing the network element fault information, the network element fault data record including a plurality of data entries, each data entry of at least a subset of the network element fault information including a chronological information field and a network fault indicator field, the chronological information field to store chronological information, the network fault indicator field to store a network fault indicator, wherein the network element fault data record is a buffer file containing

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network element fault information collected over one of the fixed time period and the rolling time period, and

displaying in tabular form the identified network element fault information corresponding to the plurality of data entries over the previous finite time period.

2. The following is an examiner's statement of reasons for allowance:

A search of the prior art revealed network fault correlation engines, but none were located that were limited to data retrieved over an edge switch via an interior network element, and displayed the results in a tabular format based upon a selected previous finite time period.

Faigon et al. (US 6,006,016), newly cited herein, is such a fault correlation engine. Faigon failed to disclose use of an edge switch via an interior network element or the explicit display of data in a tabular format. Applicant's claimed invention distinguishes over Faigon in these ways.

Fowler et al. (US 6,714,977 B1) is a similar network management system. Fowler failed to disclose use of an edge switch via an interior network element or the explicit display of data in a tabular format. Applicant's claimed invention distinguishes over Fowler in these ways.

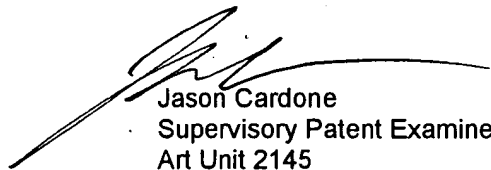
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571) 272-3921. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jason Cardone
Supervisory Patent Examiner
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